

CHAPTER 417

(House Bill 618)

AN ACT concerning

Montgomery County – Damascus – Alcoholic Beverages – Special Class C Licenses

MC 708-07

FOR the purpose of authorizing the Montgomery County Board of License Commissioners to issue a special Class C beer, wine and liquor license to a bona fide fire department in Damascus (12th election district); and generally relating to alcoholic beverages licenses in Montgomery County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 8-216(a)(2)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 2B – Alcoholic Beverages

8-216.

(a) (2) (i) Except as provided in subparagraphs (ii), (iii), [and] (iv), **AND (V)** of this paragraph, in Montgomery County, a license for the sale of alcoholic beverages authorized by this article may not be issued for any place of business located in Damascus (12th election district), and in the towns of Barnesville, Kensington, Laytonsville, Washington Grove and the City of Takoma Park.

(ii) In the town of Barnesville, the Montgomery County Board of License Commissioners may issue a special 7-day on-sale beer, wine and liquor license to any bona fide religious, fraternal, civic, or charitable organization.

(iii) In the town of Kensington, the Montgomery County Board of License Commissioners may issue a special 2-day on-sale beer and wine license or a

special 2-day on-sale beer, wine and liquor license to any bona fide religious, fraternal, civic, or charitable organization holding an event on municipal property located at 3710 Mitchell Street, Kensington, Maryland.

(iv) 1. In the town of Kensington, the Montgomery County Board of License Commissioners may issue a special B-K beer and wine license or a special B-K beer, wine and liquor license for use on the premises of a restaurant located in the following commercial areas:

A. The west side of Connecticut Avenue between Knowles Avenue and Perry Avenue;

B. The east side of Connecticut Avenue between Knowles Avenue and Dupont Street and between University Boulevard and Perry Avenue;

C. The west side of University Boulevard West;

D. Dupont Avenue, west of Connecticut Avenue;

E. Plyers Mill Road, west of Metropolitan Avenue;

F. Summit Avenue between Knowles Avenue and Howard Avenue;

G. Detrick Avenue between Knowles Avenue and Howard Avenue; or

H. The southwest side of Metropolitan Avenue between North Kensington Parkway and Plyers Mill Road.

2. A special B-K beer, wine and liquor license or a special B-K beer and wine license authorizes the holder to keep for sale and sell alcoholic beverages for consumption on the premises only.

3. A licensee shall maintain average daily receipts from the sale of food, not including carryout food, of at least 70% of the overall average daily receipts.

(V) IN DAMASCUS (12TH ELECTION DISTRICT), THE MONTGOMERY COUNTY BOARD OF LICENSE COMMISSIONERS MAY ISSUE A SPECIAL 7-DAY CLASS C ON-SALE BEER, WINE AND LIQUOR LICENSE TO ANY BONA FIDE VOLUNTEER FIRE DEPARTMENT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2007.

Approved by the Governor, May 8, 2007.